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December 31, 2002

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TECHNICAL CONSULTANTS

CALVIN E. THORPE
(1938-1999)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is a Second Supplemental Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of three (3) references submitted for consideration.
- ☒ Legible copies of the listed references or their relevant portions.
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.

— Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

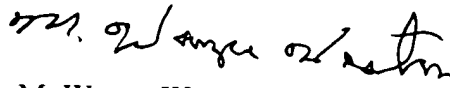
X Statement under 37 C.F.R. § 1.97(e)(1) or (2).

— Check No. _____ in the amount of \$ (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).


In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Dated this 31st day of December, 2002.

Respectfully submitted,



M. Wayne Western
Customer No. 20551
Attorney for Applicant
Registration No. 22,788
Docket No. T8275
Application Ser. No. 09/559,799
THORPE NORTH & WESTERN, L.L.P.
P.O. Box 1219
Sandy, UT 84091-1219
Telephone (801) 566-6633


MWW/WC:kj
Enc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ai-Zhi Piao, et al

SERIAL NO.: 09/559,799

FILED: April 27, 2000

FOR: MIXTURES OF VARIOUS TRIBLOCK
POLYESTER POLYETHYLENE GLYCOL
COPOLYMERS HAVING IMPROVED GEL
PROPERTIES

ART UNIT: 1616

EXAMINER: Dewitty, Robert M.

DOCKET NO.: T8275

CERTIFICATE OF DEPOSIT
UNDER 37 C.F.R. § 1.8

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Commissioner of Patents,
Washington, D.C. 20231.

Karen Jacobson

December 31, 2002
Date of Deposit

SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

____ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

 X 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ai-Zhi Piao, et al

SERIAL NO.: 09/559,799

FILED: April 27, 2000

FOR: MIXTURES OF VARIOUS TRIBLOCK
POLYESTER POLYETHYLENE GLYCOL
COPOLYMERS HAVING IMPROVED GEL
PROPERTIES

ART UNIT: 1616

EXAMINER: Dewitty, Robert M.

DOCKET NO.: T8275

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UNDER 37 C.F.R. § 1.8

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Karen Jacobson
12/31/02
Date of Deposit

PROMPTNESS CERTIFICATE UNDER 37 C.F.R. §1.97(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

 I hereby certify that each item contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

 X I hereby certify that no item contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual

Assistant Commissioner for Patents
Page -2-

designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.


DATED this 31st day of December, 2002.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
Registration No. 22,788

THORPE NORTH & WESTERN, L.L.P.
Customer No. 20,551
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MWW/WC:kj
Enc.

Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

_____ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

Assistant Commissioner of Patents
Page 3

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
DATED this 31st day of Dec., 2002.

Respectfully submitted,



M. Wayne Western
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PATENT APPLICATION
DOCKET NO. T8275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ai-Zhi Piao, et al.
SERIAL NO.: 09/559,799
FILED: April 27, 2000
FOR: MIXTURES OF VARIOUS
TRIBLOCK POLYESTER
POLYETHYLENE GLYCOL
COPOLYMERS HAVING IMPROVED
GEL PROPERTIES
ART UNIT: 1711
EXAMINER:
DOCKET NO.: T8275

CERTIFICATE OF DEPOSIT
UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Assistant Commissioner of Patents, Washington, D.C. 20231.

V. Montagne

9-18-00
Date of Deposit

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97 (b)(1) and (3), within three months of the filing date of the application; and before the mailing date of a first Office

action on the merits; and requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.

DATED this 18th day of September, 2000.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
Registration No. 22,788

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Sandy, Utah 84091-1219
Telephone (801) 566-6633

disclosure statement, and requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Please charge any additional fees or credit any overpayment to Deposit Account
No. 20-0100.

DATED this 16th day of November, 2001.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
Registration No. 22,788

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Sheet 1 of 1

PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
T8275SERIAL NO.
09/559,799

LIST OF PRIOR ART CITED BY APPLICANT

SECOND SUPPLEMENTAL

APPLICANT Ai-Zhi Piao, et al.

FILING DATE
April 27, 2000GROUP
1616

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AM						
	AN						
	AO						
	AP						
	AQ						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

AR		Byeongmoon Jeong, et al, "Biodegradable Block Copolymers as Injectable Drug-delivery Systems", <i>Letters to Nature</i> , Vol. 388, 28 August 1997, page 860, lines 5-9.
AS		A Chenite, et al, "Novel Injectable Neutral Solutions of Chitosan Form Biodegradable Gels In Situ", <i>Biomaterials</i> , 21 (2000) 2155-2161, page 2155, column 1, lines 5-7.
AT		E. Ruel-Gariepy, et al, "Thermosensitive Chitosan-based Hydrogel Containing Liposomes for the Delivery of Hydrophilic Molecules", <i>Journal of Controlled Release</i> , 82 (2002) 373-383, page 374, column 1, lines 32-36.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Notice of References Cited	Application/Control No. 09/559,799	Applicant(s)/Patent Under Reexamination PIAO ET AL.	
	Examiner Robert M DeWitty	Art Unit 1616	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,117,949	09-2000	Rathi et al.	525/415
	B	US-5939485 ✓	08-1999	Bromberg et al.	524/556
	C	US-			
	D	US-			
	E	US-			
	F	US-			
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	H	US-			
	I	US-			
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	N					
	O					
	P					
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	R					
	S					
	T					

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	Examiner Robert M DeWitty	Art Unit 1616	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5674192 ✓	10-1997	Sahatjian et al	604/28
	B	US-6004573	12-1999	Rathi et al.	424/426
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
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	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

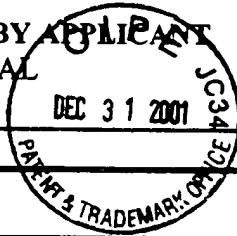
*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	O					
	P					
	Q					
	R					
	S					
	T					

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PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Application Number	59,799
LIST OF PRIOR ART CITED BY APPLICANT SUPPLEMENTAL		Filing Date	April 27, 2000
		First Named Inventor	Ai-Zhi Piao, et al.
		Group Art Unit	1711
		Examiner Name	
		Attorney Docket	T8275
Sheet 1 of 1			



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U.S. PATENT DOCUMENTS							
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Xm	AA	5,702,217	12/30/97	Younsik Cha, et al.			
Xm	AB	6,004,573	12/21/99	Ramesh C. Rathi, et al.			
Xm	AC	6,117,949	09/12/00	Ramesh C. Rathi, et al.			
	AD						
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	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
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	AN						
	AO						

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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)			

EXAMINER	DATE CONSIDERED
	9/29/02
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ai-Zhi Piao, et al.
SERIAL NO: 09/559,799
FILED: April 27, 2000
FOR: MIXTURES OF VARIOUS
TRIBLOCK POLYESTER
POLYETHYLENE GLYCOL
COPOLYMERS HAVING
IMPROVED GEL PROPERTIES
DOCKET NO: T8275
GROUP ART UNIT: 1711

CERTIFICATE OF DEPOSIT
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Washington, D.C. 20231.

Karen Jacobson
Karen Jacobson

11/16/01
Date of Deposit

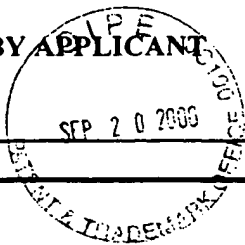
SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 (c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c) since the filing of the Information Disclosure Statement filed with the patent application. Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97 (d), and that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information

PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Application Number	09/559,799
LIST OF PRIOR ART CITED BY APPLICANT		Filing Date	04/27/2000
		First Named Inventor	Ai-Zhi Piao
		Group Art Unit	1711
		Examiner Name	
Sheet 1 of 2		Attorney Docket Number	T8275



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U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Rm</i>	AA	5,330,768	19 July 1994	Park, et al.			
	AB	5,324,519	28 June 1994	Dunn, et al.			
	AC	5,278,202	11 Jan 1994	Dunn, et al.			
	AD	5,100,669	31 March 1992	Hyon, et al.			
	AE	4,938,763	3 July 1990	Dunn, et al.			
	AF	4,745,160	17 May 1988	Churchill, et al.			
	AG	4,652,441	24 March 1987	Okada, et al.			
	AH	4,526,938	2 July 1985	Churchill, et al.			
<i>Rm</i>	AI	4,438,253	20 March 1984	Casey, et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
<i>Rm</i>	AJ	GB93/01079	28 May 1992	WIPO				
	AK	0 258 780	25 Aug 1987	EPO				
<i>Rm</i>	AL	0 092 918	31 March 1983	EPO				

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

<i>Rm</i>	AM	AS Sawhney and JA Hubbell, <u>Rapidly Degraded Terpolymers of dl-Lactide, Glycolide, and ε-Caprolactone with Increased Hydrophilicity by Copolymerization with Polyethers</u> . <i>J. Biomed. Mat. Res.</i> , 24, 1397-1411(1990)
	AN	AS Sawhney, CP Pathak, and JA Hubbell, <u>Bioerodible Hydrogels Based on Photopolymerized Poly(ethylene glycol)-c9-poly(α-hydroxy acid) Diacrylate Macromers</u> . <i>Macromolecules</i> , 26(4), 581-589: 1993.
	AO	T Matsuda, N Motomura, and T Oka, <u>Angiopeptin as a Potent Inhibitor of Myointimal Hyperplasia: Systemic Injection and Local Administration via Impregnation in a Biodegradable Polymeric Gel</u> . <i>ASAIO Journal</i> , M512-M517(1993).
	AP	L Martini et al., <u>Micellisation and Gelation of Triblock Copolymer of Ethylene Oxide and ε-Caprolactone</u> . <i>CLE, CL in Aqueous Solution</i> . <i>J. Chem Soc. Faraday Trans.</i> , 90(13), 1961-1966: 1994.
	AQ	TP Johnston and SC Miller, <u>Inulin Disposition Following Intramuscular Administration of an Inulin/Poloxamer Gel Matrix</u> . <i>J. Parenteral Science & Technology</i> , 43(6), November-December 1989
<i>Rm</i>	AR	TP Johnston et al., <u>Sustained Delivery of Interleukin-2 from a Poloxamer 407 Gel Matrix Following Intraperitoneal Injection in Mice</u> . <i>Pharmaceutical Research</i> 9(3), 1992.

EXAMINER	<i>[Signature]</i>	DATE CONSIDERED	<i>4/24/00</i>
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>			

PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Application Number	09/559,799
LIST OF PRIOR ART CITED BY APPLICANT		Filing Date	04/27/2000
		First Named Inventor	Ai-Zhi Piao
		Group Art Unit	1711
		Examiner Name	
		Attorney Docket Number	T8275
Sheet 2 of 2			

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<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

